

JERRY'S PAC
JERRY'S POLITICAL ACTION COMMITTEE
18 EAST 16TH STREET, SUITE 401
NEW YORK, NY 10003
212-352-0517



June 18, 2001

Mr. Don Averett
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RECEIVED
FEC MAIL ROOM
2001 JUL 20 A 11:43

Re: CD0363317
12 Day Pre-Primary Report
(1/1/01-06/19/01)

Dear Mr. Averett:

I am writing in regard to the Committee's 12-Day Pre-Election Report for the Special Election on June 19, 2001 in the State of Virginia, that the Committee is now reporting by mail and by electronic filing. The Committee **did not** receive any notification by mail that if it participated in the Special Election in Virginia by making a single contribution to a candidate in the election that the Federal Election Commission (FEC) would require the filing of a 12-Day Pre-Election Report. In addition no notification of filing requirements was conveyed by either publication in the *Federal Register* or the FEC's monthly newsletter the *Record*.

The Committee is acutely aware of how important it is to comply with FEC reporting requirements. Accordingly, the Committee has procedures in place to insure that it complies with all applicable FEC rules and regulations, and the committee believes that it has complied fully with all applicable reporting requirements in this instance. Since the Committee did not receive any notification by either mail or publication as per FEC guidelines and regulations it did not believe it was required to file a 12-Day Pre-Election Report for the Special Election on June 19, 2001 in the State of Virginia.

The Committee is now filing the Pre-Election Report out of the belief that the FEC finds that this filing was necessary. It is the contention of the Committee that the FEC failed to give the Committee proper notification of the requirement for the filing of this report. In addition, the late filing of this report shall not be construed by the FEC in any way as an acknowledgment by the Committee of its failure to comply with FEC reporting requirements.

Finally, it is the belief of the Committee that there should not be any imposition of an Administrative fine because of the late filing of this report. The failure of the FEC to give proper notification absolves the Committee of any culpability and thus does not warrant the imposition of any fine.

I thank you for giving the Committee the opportunity to comment on the filing of the report.

Yours very truly,

Robert M. Gottheim
Counsel